

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for October 11, 2006 PLANNING COMMISSION MEETING

PROJECT #: Special Permit #1393B - Nebraska School of Gymnastics

PROPOSAL: To expand the private school by increasing the number of students from 40 to 174, and the number of staff employees from seven to 11.

LOCATION: 7545 Pioneers Blvd

LAND AREA: Approximately 2.41 acres.

EXISTING ZONING: O-3 Office Park

CONCLUSION: This use is bounded by commercial and office uses on the east and west. The residential to the south is buffered by mature vegetation, Antelope Creek, and open space. A private school is not considered an intense land use, with operating characteristics similar to some office or personal service uses. The most significant concern is ensuring that adequate off-street parking be provided to accommodate the use. That being done, the proposed expansion allows for more efficient use of the site and the surrounding infrastructure, and is an appropriate use of land at this location.

RECOMMENDATION:	Conditional Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 1, Pioneer Subdivision.

EXISTING LAND USE: Commercial

SURROUNDING LAND USE AND ZONING:

North:	Vacant (Hamann Meadows Preliminary Plat approved 2005)	R-3
South:	Open Space, Residential	R-3
East:	Office	O-3
West:	Commercial	B-2

HISTORY: February 9, 2006 - Change of Zone #05083 was approved changing the zoning from R-3 to O-3.

April 24, 1997 - The final plat of Pioneer Subdivision was approved.

August 31, 1994 - Special Permit 1393A was approved allowing an expansion in the area covered by the special permit, a larger parking lot, and an increase in staff from four to seven.

December 12, 1990 - Special Permit 1393 was approved allowing a private school in an 8,125 square foot building for up to 40 students and four staff members.

May 8, 1979 - The zoning changed from A-1 to R-3 with the approval of the 1979 Zoning Update.

COMPREHENSIVE PLAN SPECIFICATIONS:

Page 17 - Guiding Principles for the Urban Environment

Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. This can be accomplished in many ways including encouraging appropriate new development on unused land in older neighborhoods, and encouraging a greater amount of commercial space per acre and more dwelling units per acre in new neighborhoods.

Page 25 - The Land Use Plan designates this site for urban residential uses.

Page F37 - Commercial and Industrial Development Strategy

The commercial and industrial development strategy presented below seeks to fulfill two notable objectives: (1) the approach is designed to provide flexibility to the marketplace in siting future commercial and industrial locations; while at the same time (2) offering neighborhoods, present and future home owners, other businesses, and infrastructure providers a level of predictability as to where such employment concentrations might be located. Balancing these two objectives in a meaningful way will require diligence, mutual understanding, and an ongoing planning dialogue.

Page F38 - General Principles for All Commercial and Industrial Uses

Commercial and industrial districts in Lancaster County shall be located:

- within the City of Lincoln or incorporated villages
- outside of saline wetlands, signature habitat areas, native prairie and floodplain areas (except for areas of existing commercial and industrial zoning)
- where urban services and infrastructure are available or planned for in the near term
- in sites supported by adequate road capacity – commercial development should be linked to the implementation of the transportation plan
- in areas compatible with existing or planned residential uses
- in areas accessible by various modes of transportation (i.e. automobile, transit and pedestrian)
- so that they enhance entryways or public way corridors, when developing adjacent to these

corridors

- in a manner that supports the creation and maintenance of green space as indicated in the environmental resources section of this Plan.

ANALYSIS:

1. The site, Lot 1, Pioneer Subdivision, is partially developed with a commercial building and a parking lot. Special Permit #1393 was approved in 1991 to allow a private gymnastics school in an 8,125 square foot building, and was amended in 1994 to expand the parking lot to allow additional off-street parking. The Pioneer Gymnastics Academy occupies the building as allowed by Special Permit #1393A.
2. The final plat of Pioneer Subdivision was approved in 1997 creating Lot 1 and Outlot A. Additional right-of-way was dedicated with the plat to provide the required 50' of right-of-way south of the centerline of Pioneers Blvd (an arterial street) as called for in the Comprehensive Plan.
3. Outlot A (to the east of this site) was subsequently subdivided and re-zoned O-3. UP#121 was approved August 19, 1999 allowing up to 25,000 square feet of medical office floor area. The zoning on the property adjacent to the west was changed from R-3 to B-2 in 1995. UP#143 was approved October 10, 2002 allowing 11,500 square feet of office and commercial floor area.
4. This request proposes increasing the building floor area available for classes from approximately 8,125 square feet to 20,000 square feet.
5. The requirements of Lincoln Municipal Code Section 27.63.075 Permitted Special Use: Private Schools are as follows.

(a) Private schools, including but not limited to business or commercial schools, dance or music academies; gymnastic or martial arts schools; and special schools, when not otherwise permitted in the district, may be allowed by special permit in the AG, AGR, R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, R-T, O-1, O-2, O-3, or I-1 zoning districts. Private schools shall not include: (1) Early childhood care facilities; or (2) Public or private schools that meet the State of Nebraska requirements for elementary or secondary education.

This request is located in the O-3 zoning district and is considered a private school. It is not however, a private school that meets the State of Nebraska requirements for elementary or secondary education.

(b) The application for a special permit for a private school shall be accompanied by the following information: (1) Number of children, time separation between classes, number of staff members on the largest shift, and limitations on hours and classes to minimize the number of persons on site at any one time.

There is a separate parking standard for private schools which requires one space per three students, and one space per employee. This standard also states that if there is not at least a one-half hour gap between classes, parking must be provided for the students in all sessions combined. The student/employee/class schedule table shows a total of 174 students and 11 staff. Based upon the schedule provided, 69 parking spaces are required. The site plan shows 74 spaces, 5 in excess of the number required.

The class/parking calculation information was not originally provided as part of the application, a fact noted by Building and Safety in their review. A student/class schedule/parking calculation was provided on October 3, 2006, and Building and Safety has been requested to review it. The requirement that the parking calculations provided be approved by Building and Safety is included as a condition of approval.

(c) A physical description of the facility and a site plan drawn to scale that includes, but is not limited to, the location and arrangement of parking spaces, the traffic circulation pattern, loading and unloading area, and entrances/exits to such facility. The parking and the loading and unloading area for such facility must comply with the provisions of Chapter 27.67.

The site plan shows an increase in floor area from 8,125 square feet to approximately 20,000 square feet. The off-street parking requirement for most uses in the O-3 district is one space per 300 square feet of floor area. The site plan shows 74 parking stalls, which is seven more than the number required to accommodate the O-3 zoning district. All parking constructed on the site must be in conformance with the City of Lincoln Design Standards and will be approved at the time of building permits.

(d) If the proposed facility is located in an industrial district, the applicant shall submit information on the storage and use of hazardous chemicals in the vicinity, evacuation plans, and internal air quality control to the Health Department for its review and recommendation.

This use is located in the O-3 zoning district which is not considered an industrial district.

6. Other Comments:

a. Public Works notes that some parking spaces appear to be improperly striped. As noted previously, all parking will be required to comply with Design Standards at the time of building permits.

b. L.E.S. requested additional notes be placed on the site plan stating: Any construction or grade changes in LES transmission line easement corridors are subject to LES approval and must be in accordance with LES design and safety standards; and landscaping material selections within easement corridors shall follow established guidelines to maintain minimum clearance from utility facilities.

c. Building and Safety noted they could not comment on parking as a class schedule was not part of the application. It has since been submitted and the conditions note that Building and Safety must be satisfied that required parking is being provided.

7. This request accommodates in-fill development and a more efficient use of the land consistent with the Comprehensive Plan. A private school is not generally considered an intense land use, as it has operating characteristics similar to some office or personal service uses and is compatible with the uses adjacent to the east and west.

CONDITIONS OF APPROVAL:

Site Specific:

1. This approval permits a private school for up to 174 students and 11 staff subject to the class/parking schedule submitted and made a part of this permit.

General:

2. Before receiving building permits:

2.1 The permittee shall complete the following instructions and submit the documents and plans to the Planning Department for review and approval.

- 2.1.1 Five full-sized copies of a revised site plan showing the following revisions:
 - 2.1.1.1 Includes the class schedule and the total numbers of students and staff.
 - 2.1.1.2 Add the following notes to the site plan:
 - a. All parking shall comply with City of Lincoln Design Standards.
 - b. Any construction or grade changes in LES transmission line easement corridors are subject to LES approval and must be in accordance with LES design and safety standards.
 - c. Landscaping material selections within easement corridors shall follow established guidelines to maintain minimum clearance from utility facilities.

2.2 Building and Safety approves the class/student/parking calculations.

Standard:

- 3. The following conditions are applicable to all requests:
 - 3.1 Before occupying building all development and construction is to comply with the approved plans.
 - 3.2 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 3.3 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 3.4 The applicant shall sign and return the letter of acceptance to the City Clerk within 60 days following the approval of the special permit, provided, however, said 60-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

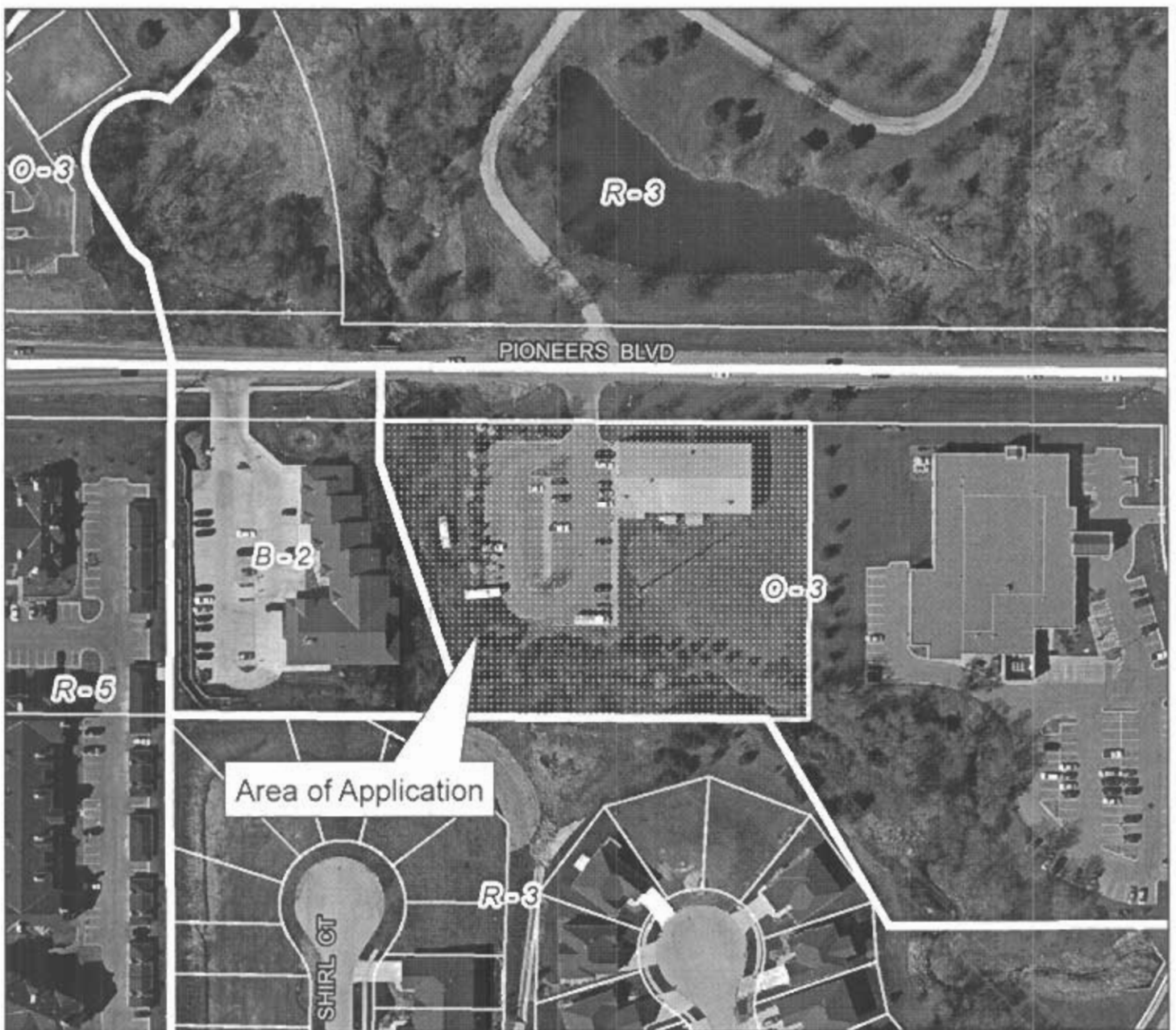
4. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by

Brian Will, 441-6362, bwill@lincoln.ne.gov
Planner
September 27, 2006

CONTACT: Alan Schmidt
Hutchinson Architects, PC
4001 South 8th Street Ste 101
Lincoln, NE 68502
402.421.1502

**OWNER/
APPLICANT** Nebraska School of Gymnastics
7545 Pioneers Blvd
Lincon, NE 68506
402.483.1304



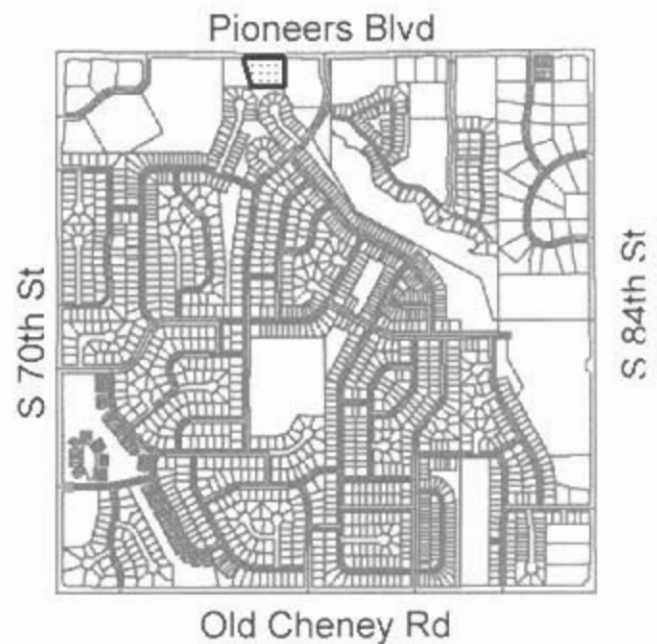
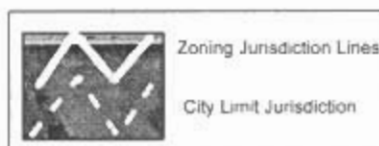
2005 aerial

Special Permit #1393B 7545 Pioneers Blvd.

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-7	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 10 T9N R7E

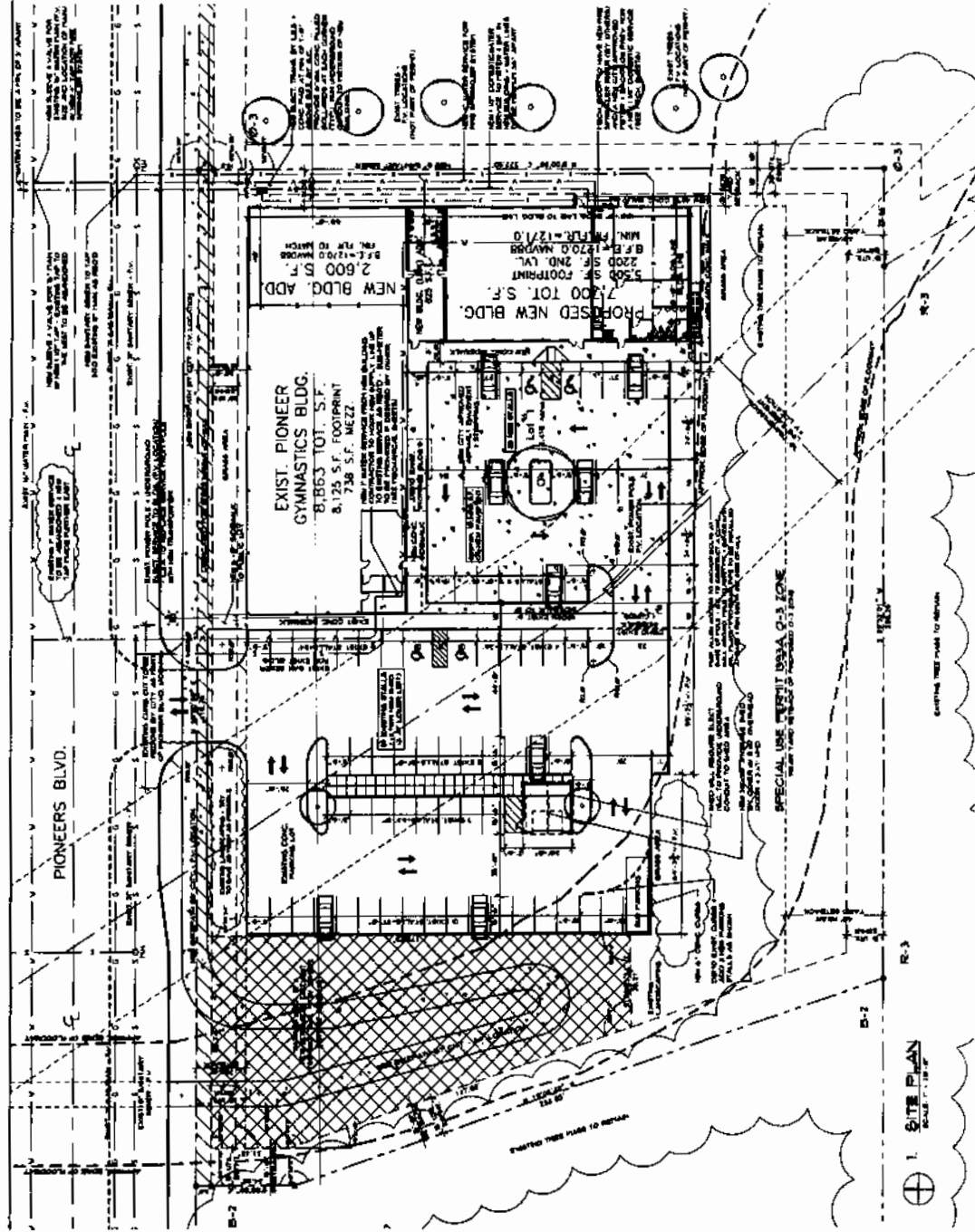


Schedule of Construction

Existing Building (w/ mezzanine) = 8,863 s.f.
 Phase 1 - New Building = 7,700 s.f.
 Phase 2 - Building Addition = 2,600 s.f.
 Phase 3 - Link Connection = 825 s.f.
 Total Building Area After Construction = 19,988 s.f.

Total Parking stalls = 74

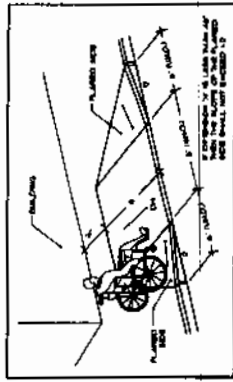
Phase 1 is scheduled for construction upon receiving a building permit.
 Phase 2 and 3 construction is dependant on financial approval.



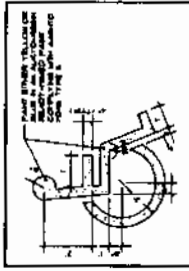
SITE PLAN KEYNOTES:

1. ALL HANDICAP PARKING STALLS SHALL BE LOCATED IN THE IMMEDIATE VICINITY OF THE BUILDING ENTRANCE.
2. ALL HANDICAP PARKING STALLS SHALL BE LOCATED IN THE IMMEDIATE VICINITY OF THE BUILDING ENTRANCE.
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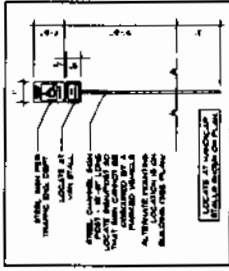
STUEFER BROS. CONSTRUCTION BLIND STUMPS



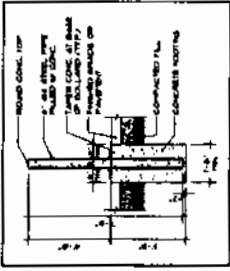
2. (TYP) HANDICAP RAMP DETAIL



3. H.C. PAVEMENT SYMBOL



4. H.C. PARKING SIGN



5. (TYP) BOLLARD DETAIL

LEGAL DESCRIPTION
 PIONEER BLDG. City of Union
 Pioneer Bldg. City of Union
 Pioneer Bldg. City of Union



PIONEER GYMNASIUMS
 NEW BUILDING - ADDITION
 PIONEER BLDG. CITY OF UNION
 PIONEER BLDG. CITY OF UNION



HATCHERSON ARCHITECTS, P.C.
 1111 N. Main St.
 Suite 100
 Chicago, IL 60610
 Phone: (312) 123-4567
 Fax: (312) 123-4568
 Email: info@hatcher-arch.com

SITE PLAN

DATE: 12/12/2012
 SCALE: 1" = 10'-0"
 SHEET: C-11
 DRAWN BY: J. HATCHERSON

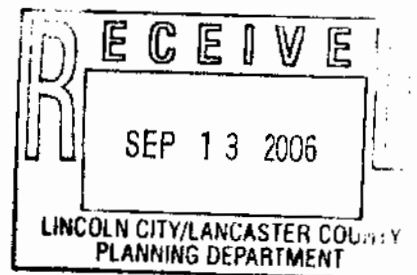
PAULA B. HUTCHINSON
ATTORNEY AT LAW

CENTERSTONE BUILDING
100 NORTH 12TH STREET
SUITE 1002
LINCOLN, NEBRASKA 68508

VOICE 402.420.2156
FACSIMILE 800.880.1175
EMAIL paula@phutchlaw.com

September 12, 2006

Brian Will
Lancaster County Planning Department
555 South 10th Street
Lincoln, NE 68508



Re: Statement of Purpose, Nebraska School of Gymnastics South, Inc.
Application for Special Use Permit.

Dear Brian:

This letter will state the purpose of the City of Lincoln Special Use Permit which has been applied for by Ed Aasen, President of Nebraska School of Gymnastics South, Inc., d.b.a. Pioneer Gymnastics Academy, situated on property located at 7545 Pioneers Boulevard, and legally described as:

Pioneer Subdivision Lot 1.

This property presently is zoned O-3. Mr. Aasen operates his business under Special Permit No. 1393, which authorizes the use of a gymnastics school on the property. Mr. Aasen applies for an additional Special Permit in order to construct an additional building and, on his own or under contract through others, expand his operation to include a school of dance, tumbling and cheerleading. Such activities are in ever-higher demand in the Lincoln area.

The design of the new building is compatible with the existing site structure, resulting in an aesthetically attractive campus with mature landscaping. Any additional required landscaping will be completed prior to occupancy of the new building. Please note that the amount of brick exterior has been reduced for the new building, for two reasons: First, the Special Permit for the existing structure called for a higher-than-usual percentage of brick for this type of structure (i.e. fifty percent). This requirement was to satisfy the concerns of neighbors regarding the construction of a building of this size in what at the time was a chiefly rural/residential neighborhood. Since that time, the subject area has seen extensive commercial growth. Second, the new structure would be so situated as to be obscured

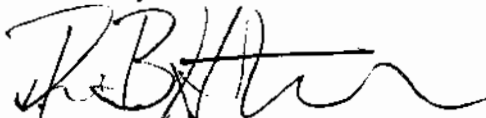
from the view of neighbors, both commercial and residential.

Increased traffic to and from the site would be gradual and would be accommodated by the proposed painted lanes and medians planned for the street by the City. The accompanying site plan shows that planned parking is in compliance with L.M.C. §2767.040.

Neighbors, both commercial and residential, were canvassed by Mr. Aasen with respect to this project in the course of his recent change-of-zone application on the subject property. At that time, Mr. Aasen explained the proposed new building under this Special Permit Application and support was unanimous.

If you have further questions, please feel free to contact me at the above number or Alan Schmidt of Hutchinson Architects, P.C., at 421.1502. In behalf of Mr. Aasen and myself, thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'PBH', with a long, sweeping horizontal line extending to the right.

Paula B. Hutchinson

PBH:jc

cc: Mr. Ed Aasen



Pioneer Gymnastics Academy
7545 Pioneers Blvd.
Lincoln, NE 68506
Phone: (402)483-1304
Fax: (402)483-1375
E-Mail: pioneergym@aol.com

September 27, 2006

Dear Paula,

Following is an example of the students and staff in the gym during our peak time of the year over a 2 hour (class period) time.

School Year 2006 - 1007

Day: Tuesday and Thursday

GYMNASTICS

Time: 5:00pm

Beginner Girls:	16
Beginner Boys:	08
Pre-Beginner:	06
Level 2 Team:	06

Time: 5:30pm

Pre-School:	06
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Time: 6:00pm

Beginner Girls:	16
Pre-Beginner:	06
Boy's Team:	08
Girls Team:	06

Time: 6:30pm

Pre-School:	06
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TOTAL # STUDENTS: 84

Gym Staff: 6 teachers

CHEER

Time: 5:00pm

Cheer Gym:	25
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Time: 5:30pm

Dance 1:	10
Dance 2:	10

Time: 6:00pm

Cheer Gym:	25
------------	----

Time: 6:30pm

Dance 1:	10
Dance 2:	10

90

Cheer Staff: 5 teachers

Parking Lot Calculation:

174 (84 gym + 90 cheer) students divided by 3 students per stall = 58 stalls

Staff Stalls = 11 (6 gym + 5 cheer)

Total # of stalls needed = 58 student stalls + 11 staff stalls = 69



Pioneer Gymnastics Academy
7545 Pioneers Blvd.
Lincoln, NE 68506
Phone: (402)483-1304
Fax: (402)483-1375
E-Mail: pioneergym@aol.com

September 27, 2006

Dear Paula,

Following is the calculation for the number of students and staff based on available parking.

Total Number of Parking Stalls: 74

Gym Staff: 06

Gym Students: 45

Cheer Staff: 05

Cheer Students: 50

Class Length: 45 minutes to 3 hours

Time between classes: 5 - 15 minutes

Time separation between Gym and Cheer Programs: 30 minutes

Calculations based on: 1 stall per every 3 students for a 2 hour period
plus 1 stall for each staff person.

$$((45 + 50) * 2) = 190$$

$$190 / 3 = 63$$

$$63 + (6+5) = 74$$

Sincerely,

Edwin K. Aasen III
President, Pioneer Gymnastics Academy

**Review Comments for
Application # SP1393B
PIONEER GYMNASIUM NEW BUILDING**

Comments as of Wednesday, September 27, 2006

Status of Review: **Approved**

Reviewed By

ANY

Comments

Status of Review: **Approved**

Reviewed By **Alltel**

ANY

Comments:

Status of Review: **Denied**

09/18/2006 9:12:41 AM

Reviewed By **Building & Safety**

Terry Kathe

Comments: Unable to determine if parking shown is adequate. Need to show class schedule and the maximum amount of students in each class and # of teachers.

Status of Review: **Approved**

09/26/2006 8:29:25 AM

Reviewed By **Health Department**

ANY

Comments: LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION

TO: Brian Williams DATE: September 26, 2006

DEPARTMENT: Planning FROM: Chris Schroeder

ATTENTION: DEPARTMENT: Health

CARBONS TO: EH File SUBJECT: Pioneer Gymnastics
EH Administration New Building
SP #1393B

The Lincoln-Lancaster County Health Department has reviewed the special permit application and does not object to the approval of this application.

Status of Review: **Complete**

09/26/2006 8:56:38 AM

Reviewed By **Lincoln Electric System**

JULIE WISMER

Comments: **September 19, 2006**

TO: **Brian Will, City Planning**

FROM: **Sharon Theobald (Ext. 7640)**

SUBJECT: **DEDICATED EASEMENTS FOR SP #1393B
DN #43S-75E**

Attached is the Special Use Permit Application for Pioneer Gymnastics new building.

In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.

Windstream Nebraska, Inc., Time Warner Cable, and the Lincoln Electric System will not require any additional easements. However, please retain all existing easements.

Please add, as a stipulation, the following:

Any construction or grade changes in LES transmission line easement corridors are subject to LES approval and must be in accordance with LES design and safety standards.

Landscaping material selections within easement corridors shall follow established guidelines to maintain minimum clearance from utility facilities.

Status of Review: **Approved**

Reviewed By **Parks & Recreation**

ANY

Comments:

Status of Review: **Routed**

Reviewed By **Planning Department**

COUNTER

Comments:

Status of Review: **Complete**

Reviewed By **Planning Department**

RAY HILL

Comments:

Status of Review: **Active**

Reviewed By **Planning Department**

BRIAN WILL

Comments:

Status of Review: Complete

09/27/2006 1:29:30 PM

Reviewed By Public Works - Development Services

SIETDQ

Comments: Memorandum

To: Brian Will, Planning Department
From: Charles W. Baker, Public Works and Utilities
Subject: Pioneer Gymnastics New Building Special Permit #139B
Date: September 27, 2006
cc: Randy Hoskins

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the Pioneer Gymnastics New Building Special Permit #139B located at 7545 Pioneers. Public Works has the following comments:

- A parking stall table was not provided to show number of required vs. number of provided parking stalls.
- The seven parking stalls @ 9' wide = 72' appears to be eight stalls to equal the 72' or they are using very wide paint stripes that will not meet MUTCD standards in the center parking layout.

Status of Review: Active

Reviewed By Public Works - Watershed Management

ANY

Comments:
